

# TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number 10/722,161  
 Filing Date November 25, 2003  
 First N016336amed Inventor Franza, B. Robert  
 Art Unit 1636  
 Examiner Name Unassigned  
 Attorney Docket Number 016336-001011US

## ENCLOSURES (Check all that apply)

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Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Townsend and Townsend and Crew LLP  
 Brian W. Poor Reg. No. 32,928  
 Signature *Brian W. Poor*  
 Date *22 October 2004*

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Date

*Oct. 25, 2004*

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By: Masha M. Martinerko

PATENT

Attorney Docket No. 16336-001011US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

B. Robert Franza *et al.*

Application No.: 10/722,161

Filed: November 25, 2003

For: STABLE ISOTOPE METABOLIC  
LABELING FOR ANALYSIS OF  
BIOPOLYMERS

Examiner: Unassigned

Art Unit: 1636

**INFORMATION DISCLOSURE  
STATEMENT  
UNDER 37 CFR §1.97 and §1.98**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached forms PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in the parent Application No. 09/786,066, filed February 28, 2001, now U.S. Patent No. 6,653,076 B1, issued on November 25, 2003 (Attorney Docket No. 016336-001010US).


It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Dated: 22 October 2004

By:   
Brian W. Poor  
Reg. No. 32,928

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60191527 v1

Substitute for form 1449A/PTO			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			Application Number	10/722,161
			Filing Date	November 25, 2003
			First Named Inventor	Franza, B. Robert
			Art Unit	1636
			Examiner Name	Unassigned
Sheet 1	of 3	Attorney Docket Number	016336-001011US	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA	US-5,338,686	08-16-1994	Hellerstein	
	AB	US-5,538,897	07-23-1996	Yates, III et al.	
	AC	US-5,910,403	06-08-1999	Hellerstein	
	AD	US-6,017,693	01-25-2000	Yates, III et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AE	DE	44 33 384		03-14-96	UFZ- Umweltforschungszentrum		<input type="checkbox"/>
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			Application Number	10/722,161	
			Filing Date	November 25, 2003	
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			Art Unit	1636	
			Examiner Name	Unassigned	
Sheet	2	of	3	Attorney Docket Number	016336-001011US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	AG	"INDEX of the Protein Sequence Database of the International Association of Protein Sequence Databanks (PIR-International)," <u>Protein Seq. Data Anal.</u> , 5:65-192 (Mar. 1993)		
	AH	BAIROCH and BOECKMANN, "The SWISS PROT Protein Sequence Data Bank, Recent Developments," <u>Nucl. Acids Res.</u> , 21:3093-3096 (Jul. 1, 1993)		
	AI	BARKER <i>et al.</i> , "Protein Sequence Database," <u>Meth. Enzymol.</u> , 183:31-49 (1990)		
	AJ	BEYNON, "Qualitative Analysis By Mass Spectrometer," in <u>Mass Spectrometry and Its Application to Organic Chemistry</u> , Elsevier Publishing Co., New York, 294-301 (1960)		
	AK	BIER, "Stable Isotopes in Biosciences, Their Measurement and Models for Amino Acid Metabolism," <u>Eur. J. Pediatr.</u> , 156(Suppl. 1):S2-S8 (Aug. 1997)		
	AL	BLEASBY <i>et al.</i> , "OWL-a Non-redundant Composite Protein Sequence Database," <u>Nucl. Acids Res.</u> , 22:3574-3577 (Sep. 1994)		
	AM	BURKS <i>et al.</i> , "GenBank: Current Status and Future Directions," <u>Meth. Enzymol.</u> , 183:3-22 (1990)		
	AN	COBELLI <i>et al.</i> , "Validation of Simple and Complex Models in Physiology and Medicine," <u>Am. J. Physiol.</u> , 246:R259-R266 (Feb. 1984)		
	AO	ENG <i>et al.</i> , "An Approach to Correlate Tandem Mass Spectral Data of Peptides with Amino Acid Sequences in a Protein Database," <u>J. Am. Soc. Mass. Spectrom.</u> , 5:976-989 (Nov. 1994)		
	AP	GOSHE and ANDERSON, "Determination of Amino Acid Isotope Ratios by Electrospray Ionization-Mass Spectrometry," <u>Anal. Biochem.</u> , 231:387-392 (Nov. 1, 1995)		
	AQ	HALLIDAY and READ, "Mass Spectrometric Assay of Stable Isotopic Enrichment for the Estimation of Protein Turnover in Man," <u>Proc. Nutr. Soc.</u> , 40:321-334 (Sep. 3, 1981)		
	AR	KAHN <i>et al.</i> , "EMBL Data Library," <u>Meth. Enzymol.</u> , 183:23-31 (1990)		
	AS	LEE <i>et al.</i> , "Mass Isotopomer Analysis: Theoretical and Practical Considerations," <u>Biol. Mass. Spectrom.</u> , 20:451-458 (Aug. 1991)		
	AT	MATTHEWS <i>et al.</i> , "Regulation of Leucine Metabolism in Man: A Stable Isotope Study," <u>Science</u> , 214:1129-1131 (Dec. 4, 1981)		
	AU	MCCLOSKEY, "Appendix f. Calculation of Isotopic Abundance Distributions," <u>Meth. Enzymol.</u> , 193:882-886 (1990)		

Examiner Signature		Date Considered	
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Sheet	3	of	3	Attorney Docket Number	016336-001011US

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	AV	PATTERSON <i>et al.</i> , "Incorporation of a Stable Isotopically Labeled Amino Acid into Multiple Human Apolipoproteins," <u>J. Lipid Res.</u> , 32:1063-1072 (Jul. 1991)		
	AW	PATTERSON <i>et al.</i> , "Measurement of very low stable isotope enrichments by gas chromatography/mass spectrometry: application to measurement of muscle protein synthesis," <u>Metabolism</u> , 46: 943-948 (Aug. 1997)		
	AX	PATTERSON, S. "Matrix-assisted laser-desorption/ionization mass spectrometric approaches for the identification of gel-separated proteins in the 5-50 pmol range," <u>Electrophoresis</u> , 16(7): 1104-1114 (Jul. 1995)		
	AY	SADANO <i>et al.</i> , "cDNA Cloning and Sequence of a New Type of Actin in Mouse B16 Melanoma," <u>J. Biol. Chem.</u> , 263: 15868-15871 (Nov. 5, 1988)		
	AZ	SMITH and RENNIE, "The Measurement of Tissue Protein Turnover," <u>Bailliere's Clin. Endocrin. Metab.</u> , 10:469-495 (Oct. 1996)		
	BA	TARVER AND SCHMIDT, "The Urinary Sulfur Partition in Normal and Cystinuric Dogs Fed Labeled Methionine," <u>J. Biol. Chem.</u> , 167:387-394 (1947)		
	BB	YARASHESKI <i>et al.</i> , "Measurement of muscle protein fractional synthetic rate by capillary gas chromatography/combustion isotope ratio mass spectrometry," <u>Biol. Mass. Spectrom.</u> , 21:486-490 (Oct. 1992)		
	BC	YATES, "Database Searching Using Mass Spectrometry Data," <u>Electrophoresis</u> , 19:893-900 (Jun. 1998)		

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